

BILL ANALYSIS

S.B. 571
By: Hinojosa
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under Section 694.002, Health and Safety Code, counties are required to provide for the disposition of a deceased pauper's body. This provision authorizes the county to dispose of unidentified human remains by cremation. However, under Section 716.101, Health and Safety Code, a crematory is prohibited from accepting unidentified human remains.

S.B. 571 is designed to alleviate overcrowding in counties whose health departments are at capacity for storage of unidentified human remains.

S.B. 571 authorizes a crematory establishment to accept for cremation unidentified human remains from a county on the order of the county commissioners court or a court located in the county.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 571 amends the Health and Safety Code to establish an exception to the prohibition against a crematory establishment accepting for cremation unidentified human remains, authorizing a crematory to accept for cremation such remains from a county on the order of the county commissioners court or a court located in the county.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.